

REMARKS

Claims 1-11 are pending in the present application. Claim 1 has been amended to include the limitation of dependent claim 4. Claim 2 has been amended to remove a typographical error. Claims 4 and 7-11 have been cancelled without prejudice or disclaimer. New claims 12-17 have been added. Applicants respectfully request reconsideration of the pending claims in view of the amendments and remarks set forth below.

In the Office Action mailed April 24, 2007, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a). In particular, the Examiner objected to the drawings because the claimed second PN generator, the third device that transmits at a third frequency, and a third generator that generates a third PN sequence must be shown in the drawings or the features cancelled from the claims. Applicants respectfully submit that the feature of the claimed second PN generator is shown in FIG. 6B as item 600B in the figures as originally filed. Applicants have further cancelled claim 7 without prejudice or disclaimer; accordingly, the features (i.e., third device, third generator, etc.) of this claim need no longer be shown in the figures. Applicants now submit that the drawings are in compliance with 37 C.F.R. § 1.83(a) and respectfully request withdrawal of the objection to the drawings.

The Examiner rejected claim 7 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner contends that the specification fails to disclose a third device that transmits at a third frequency and a third generator that generates a third PN sequence. Applicants respectfully submit, however, that claim 7 has been cancelled without prejudice, thereby rendering the aforementioned rejection moot.

The Examiner rejected claims 1-6 and 8-10 under 35 U.S.C. § 102(e) as being anticipated by Yang et al. (US 6,731,674). Applicants respectfully traverse this rejection.

In the rejection, the Examiner contends that Yang discloses in Figure 14 an apparatus comprising a first device to transmit at a first frequency, a first PN generator to generate a first PN sequence at a first offset, a first spreader to receive and spread a first pilot data with the first PN sequence, a second device to transmit at a second frequency, a second PN generator to generate a second PN sequence at a second offset and a second spreader to receive and spread

second pilot data with the second PN sequence. Applicants respectfully submit, however, that Yang fails to teach or reasonably suggest that the first PN sequence is the reverse of the second PN sequence as is now claimed in claim 1. Applicants respectfully submit that although Yang may disclose in col. 17, lines 48-56 that the orthogonal code S_i and the Walsh orthogonal code W_i assigned to the first and second channels, subcodes constituting the orthogonal codes should also be different from each other, Yang does not disclose (nor does the Examiner address) the first PN sequence is the reverse of the second PN sequence as is claimed in claim 1. Accordingly, since Yang does not disclose this limitation, Applicants respectfully submit that claim 1, and all claims dependent therefrom, cannot be anticipated by Yang and are therefore allowable thereover.

The Examiner rejected claims 8-11 under 35 U.S.C. § 102(e) as being anticipated by McDonough et al. (US 6,748,006). Applicants submit that this rejection is now deemed moot in view of the cancellation of claims 8-11 without prejudice.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Please charge any fees or credit overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: October 24, 2007

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